

Applicant : Aarnoud Willem EVERSDIJK  
Serial No. : 10/522,205  
Filing Date: August 22, 2005  
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REMARKS

Claims 1-14 remain in this application. Claim 2 has been amended to clarify the claim. Accordingly, no new matter has been added.

The Examiner rejected claims 1-4, 7, 10, 12 and 14 under 35 U.S.C. § 102, as allegedly being anticipated by U.S. Patent No. 5,170,975 to Chadwick. Applicant notes that Chadwick has not previously been cited. The final rejection, therefore, is not proper, since Applicant has had no prior opportunity to address that reference.

Independent claims 1 and 7 of the invention relate to a fitting for a lamp that is provided with adjustment means and the adjustment element for a fitting for a lamp. A fitting for a lamp is claimed which has a rim or stop as part of the fitting for supporting a lamp cap, and a locking element for locking a lamp cap onto the rim or stop. The fitting also has adjustment means for adjusting the position of the lamp cap with respect to the rim of the fitting. This adjustment means has a first part, a first end of which is movably connected to the rim so that the first part can be placed between a first position substantially parallel to the rim or stop and a second position at an angle to the rim or stop. The adjustment means allows for the adjustment of the position of

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the lamp cap with respect to the rim or stop. The adjustment element for a fitting for a lamp for adjusting the position of a lamp cap with respect to a fitting is also claimed. The adjustment element has a first part which is intended to make contact with a lamp cap or the pedestal of a lamp cap, and a second part for supporting the adjustment element on a rim or stop of a fitting. The parts are resiliently or pivotably connected to one another for the purpose of adjusting the angle between the first part and the second part wherein adjustment of the angle serves to adjust the position of the lamp cap with respect to the rim or stop.

Chadwick does not relate to a fitting for a lamp provided with a rim, a locking element, and an adjustment means or an adjustment element for adjusting the position of a lamp cap with respect to a fitting. As understood by Applicant, Chadwick relates to a lamp base consisting of an articulated arm with a spring, for counterbalancing a lamp.

It is respectfully submitted that the Examiner errs in her statements regarding claims 1-4, 7, 10, 12 and 14, by equating terms and disclosed structures used in the present invention with significantly different terms and disclosed structures used in Chadwick. First, the present invention discloses a lamp fitting with which a lamp cap may be

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detachably mated. As described and shown in the application, e.g., paragraph 0004, a lamp fitting is what is commonly called in the U.S. a "socket," into which a light bulb is screwed. That is the way in which the term is used in the application. The fitting is generally placed into a support structure, usually a lamp base, which supports the entire apparatus of the fitting, the light bulb, and the lamp cap or shade. The Examiner equates Applicant's disclosed lamp fitting or socket with Chadwick's articulated arm 14, even though the two differ completely in structure and function. Chadwick's articulated arm 14 serves as a lamp base, not a lamp fitting or socket, for Chadwick's lamp cap or shade 20. Chadwick does not disclose any information about a lamp fitting or socket, which by definition, is located beyond the articulated arm 14, and presumably inside the lamp cap or shade 20. Second, it is common knowledge that a lamp is a device that generates light, while a lamp cap is a shade for shielding the glare of a light source in a lamp, or for directing the light to a particular area. The two are quite different, and the terms should not be used interchangeably. However, the Examiner erroneously equates the supposed lamp 20 disclosed by Chadwick, with the lamp cap disclosed by the present invention. When the terms "lamp fitting" and "lamp

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cap" are understood as defined in the specification and shown in the drawings, it is clear that the present invention is different from and patentable over the cited prior art.

Also, it is respectfully submitted that the Examiner errs in equating wholly unrelated structures of the present invention and Chadwick, suggesting with little explanation that they are comparable. For example, the Examiner equates the rim or stop disclosed in the present invention with the U-shaped bracket 18 in Chadwick. This comparison is incorrect because the U-shaped bracket 18 disclosed in Chadwick is a means of directly connecting the upper end of the articulated arm to the lamp shade. The rim or stop 12 disclosed in the present invention is a ridge running along the circumference of the fitting, designed to support a lamp cap, not connect a lamp cap to an articulated arm, or to any other structure.

Additionally, the Examiner incorrectly equates the locking element disclosed in the present invention with bolt 13 and wing nut 21 disclosed in Chadwick. The present invention discloses a locking element for locking the lamp cap onto the rim or stop. Chadwick, on the other hand, discloses a bolt and nut that lock the u-shaped bracket to the upper end of the articulated arm. Again, when the terms are used for the

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structures as shown and described, it is clear that the present invention is patentable over the cited prior art.

It is respectfully requested that the Examiner reconsider and withdraw her rejections of claims 1-4, 7, 10, 12 and 14 in light of the discussion above.

The Examiner also rejected claims 5-6, 8-9, 11 and 13, under 35 U.S.C. § 103, as allegedly being unpatentable over Chadwick as applied to claims 1 and 7. Applicant contends that these claims are patentably distinct from Chadwick for the reasons discussed above. Accordingly, reconsideration and withdrawal of these rejections is respectfully requested.

Applicant submits that it has addressed and overcome all of the rejections stated in the Office Action, and that the application now is in condition for allowance. Applicant requests entry of the amendment to claim 2 in the form of an Advisory Action at the Examiner's earliest convenience.

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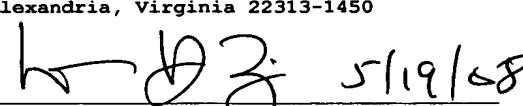
Applicant hereby petitions for a one-month extension of time to respond to the outstanding office action. A check in the amount of \$120.00 for the extension fee is enclosed. However, the Commissioner is hereby authorized to charge any other fees required in connection with the filing of this Communication to Deposit Account No. 03-3125.

Respectfully submitted,

Dated: May 19, 2008

  
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Norman H. Zivin Date